

**DIVISION of Facilities Management
and Property Services**

Ashlie Lancaster, Director
1200 Senate Street, Sixth Floor
Columbia, SC 29201
803.737-3880
803.737.0592 Fax

June 14, 2022

Dear Property Owner or Agent:

The State of South Carolina is seeking office/storage/warehouse space in Lexington or Richland County. Attached is a summary of specifications and lease criteria. You are invited to submit a proposal to lease property to the State which may meet the criteria.

All proposals must be received by the Department of Administration, Real Property Services on or before **4:00 PM, July 12, 2022**.

The agency and Real Property Services will determine which proposals best suit the agency's needs. After the deadline, we will review all proposals submitted. Should your proposal be of interest, you will be contacted to schedule a meeting and view the property.

All inquiries regarding this lease solicitation should be directed to Real Property Services via e-mail at rps@admin.sc.gov.

To be eligible to submit a proposal, a property owner or agent must have submitted to Real Property Services a receipt and acknowledgment of S.C. Code of Laws, 1976, as amended, §§1-11-55, 1-11-56, and 1-11-65 and S.C. Code of Regulations, §19-447.1000. If you have not done so and wish to respond with a proposal, you may download the applicable form from our website at: https://admin.sc.gov/real_property/forms.

Sincerely,

Real Property Services



**REQUEST FOR LEASE PROPOSAL FOR THE SOUTH CAROLINA STATE HOUSING,
FINANCE AND DEVELOPMENT AUTHORITY**

OFFICE/STORAGE/WAREHOUSE SPACE IN LEXINGTON OR RICHLAND COUNTY

No lease agreement with the State is final without the approval of designated authorities as governed by South Carolina law. Real Property Services reserves the right to negotiate lease terms with submitting parties until such final approval is granted. State law prohibits any party participating in this solicitation process from making direct contact with the agency seeking space until a final lease has been approved. All correspondence should be directed to Real Property Services. Prior to lease negotiation, Landlord must provide a list of all partners or members where Landlord is an LLC or partnership (to include all tiers so that individuals are named). Leases that must be approved by the State Fiscal Accountability Authority also require Private Participant Disclosure forms to be completed by the Lessor (copies available upon request).

Properties selected for site visits will be chosen based on a cost analysis of the submitted proposals, the responsiveness of the proposals to the stated requirements, and the space efficiency of proposed floor plans submitted; therefore, best proposals should be submitted initially.

**LEASE CRITERIA – SOUTH CAROLINA STATE HOUSING FINANCE AND DEVELOPMENT
AUTHORITY**

- Location: LEXINGTON OR RICHLAND COUNTY, SOUTH CAROLINA. Prefer near interstates and public transportation route
- Expected occupancy date: **11/1/2023**
- Total space needed is approximately 28,000 – 29,400 rentable square feet +/- depending on circulation and common area factor. Please include both rentable and usable square feet in proposal and include the common area factor (%).
- Ideal set up should include, but is not limited to:
 - Six (6) private offices for professional staff of approximately 180 square feet each
 - Thirty-three (33) private offices for professional staff of approximately 120 square feet each
 - Space to accommodate one-hundred and twenty-four 124 employee workstations (workstations to be provided by Tenant) of approximately 56 square feet each
 - One (1) large suite reception lobby, to accommodate for seating up to 12 people at a time of approximately 200 square feet. Lobby must be a control environment restricting direct access to employees, equipped with an electronic controlled access door and bulletproof room and transaction glass window
 - One (1) beverage alcove with 6 linear feet of cabinet with U.C. refrigerator, sink and microwave of approximately 24 square feet
 - One (1) large break room to accommodate 20 people at a time of approximately 200 square feet



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- Two (2) print alcoves with 8 linear feet of upper and lower cabinets for supply storage and printer of approximately 40 square feet each
- One (1) copy/print/supply room for dedicated floor mounted printer and storage of approximately 120 square feet
- One (1) copy/print/mail/supply room for dedicated floor mounted printer, storage and mail slots of approximately 200 square feet
- One (1) LAN room for floor mounted racks of approximately 100 square feet equipped with a separate HVAC unit with humidity control to ensure room stays at 68 degrees Fahrenheit even if the rest of the building is adjusted 24/7/365. Room must be securable and equipped with a non-wet head fire suppression system such as Halon or NOVEC. Prefer raised floor in LAN room.
- One (1) storage closet of approximately 50 square feet
- One (1) medium storage room of approximately 180 square feet
- One (1) medium conference room of approximately 250 square feet to accommodate seating for up to 8 people at a time. (Landlord to install Tenant's overhead projector with electrical wiring and electric operated projector screen with all necessary wiring installed).
- Two (2) small conference rooms of approximately 120 square feet each to accommodate seating for up to 4 people at a time
- One (1) public meeting room of approximately 1,800 square feet to accommodate seating for up to 120 people at a time. (Landlord to install Tenant's overhead projector with electrical wiring and electric operated projector screen with all necessary wiring installed).
- One (1) training room of approximately 625 square feet. (Landlord to install Tenant's overhead projector with electrical wiring and electric operated projector screen with all necessary wiring installed).
- One storage room of approximately 440 square feet
- One (1) secure file room for Cardex Rolling File System (to be provided and installed by Tenant) with a floor rating of 600 pounds per square foot of approximately 780 square feet. Prefer raised floor
- Two (2) restrooms in visitors area of approximately 280 square feet each (1-mens and 1-womens)
- One (1) meeting room of approximately 450 square feet to accommodate seating for up to 16 people at a time. (Landlord to install Tenant's overhead projector with electrical wiring and electric operated projector screen with all necessary wiring installed).
- One (1) document imaging room of approximately 180 square feet
- Climate controlled Warehouse space of approximately 1,000 square feet
 - Minimum ceiling height of 8 feet
 - Access to a loading dock for receiving pallet deliveries
 - Floor must be capable of supporting pallet jacks
- Space must be ADA compliant. Landlord is responsible for all costs associated with ADA compliance.
- Must have electronic door access control.
- Landlord must provide security surveillance system



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- Cabling must be certified to CAT-6 standards, with all terminations by the Landlord. All internet connections, phone/data connections for VOIP and at least 1 TTY service along with 5 analog lines for fax machines. electrical and other outlets to be provided by the Landlord throughout the space as specified by Agency. Tenant will provide media module for redundancy and payment cards. Two internet connections required in each cubicle, office, and conference room, training room, public meeting rooms, break room and lobby. Internet speed must be a minimum of 1,000 MBS Fiber dual connectivity. Require cable TV connections in each conference room, training room, public meeting rooms, break room and lobby.
- 197 parking spaces are desired, including 163 employee spaces of which 6 spaces must be handicapped, 24 visitor spaces and 10 reserved spaces in a fenced and secured parking area for state vehicles. Prefer all parking at no additional cost.
- Parking lot must be paved, lighted and ADA compliant.
- Outside of building needs to be well lit.
- Building must be accessible 24/7/365
- Landlord must agree to allow external payment box to be installed outside of building
- Term: Please provide proposed rates for 3, 5, 7 and 10-year terms.
- Signage required identifying Agency/Program to be provided by Tenant.
- Proposals that require reimbursement of tenant improvement costs upon an early termination are not preferred and may be eliminated from consideration.
- Proposals should be for a GROSS lease to include all operating expenses, including utilities, janitorial services and supplies, grounds maintenance, repairs, taxes, insurance, general building maintenance, building equipment maintenance, electrical systems maintenance, HVAC maintenance, plumbing maintenance and any other service necessary to maintain and operate all building and site improvements. Janitorial services shall be performed using SC Department of Health and Environmental Control guidelines and approved US Environmental Protection Agency registered antimicrobial products for the protection of tenant and visitors (to the extent possible) against the virus referred to as COVID-19.
- Must have un-interrupted power source and generator backup power source. Minimum one HVAC must be connected to generator that includes system supporting LAN room
- Proposals that require the pass-through of any increases in operating expenses above the amount included in the rent rate are not preferred and may be eliminated from consideration.

MINIMUM STATE REQUIREMENTS

- **Standard State lease must be used – a copy is available on our website at: https://admin.sc.gov/real_property/forms or can be provided upon request.**
- Property must be barrier free, hazard free and smoke free.
- Property must meet zoning requirements for proposed use.
- Economical and efficient space utilization.



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PROPOSAL DUE DATE AND REMITTANCE INSTRUCTIONS:

- Proposals must be received by the Real Property Services by **4:00 PM, July 12, 2022.**
- All proposals must be in writing and may be submitted by e-mail. (It is agent's responsibility to ensure receipt).
- Proposals should specify floor usable and rentable square feet (if applicable) and must be calculated according to the ANSI/BOMA-Z65.1-1996 standard.
- Please attach a proposed floor plan.

CONTACT INFORMATION

All information and questions should be directed to Real Property Services – no direct contact can be made with the South Carolina State Housing, Finance and Development Authority. Direct contact can be cause for automatic disqualification.

RETURN PROPOSALS AND DIRECT ALL QUESTIONS TO:

DEPARTMENT OF ADMINISTRATION
REAL PROPERTY SERVICES
1200 Senate Street, 6th Floor, Columbia, SC 29201
PHONE: 803-737-0644 or 803-737-1617
EMAIL: rps@admin.sc.gov
FAX: 803-737-0051



LEASE SOLICITATION FORM

(This form is for property owners and leasing brokers who wish to lease real property to state agencies.)

RECEIPT AND ACKNOWLEDGEMENT OF LEASING STATUTES 1-11-55, 1-11-56, 1-11-65 AND REGULATION 19-447.1000

I have read the contents of S.C. Code of Laws §§ 1-11-55, 1-11-56 and 1-11-65, and Regulation §19-447.1000 in their entirety. I agree to comply with the foregoing statutes and regulations and agree that any lease arrangement entered into with a South Carolina state agency will be in accordance with such statutes and regulations.

Also, I understand that the Department of Administration, Real Property Services is the single central broker for leasing for state agencies, and all negotiations are to be conducted through this office. I further understand that direct contact or negotiation with an agency without the written permission of Real Property Services will be cause for my disqualification for participation in an agency's procurement process or solicitation. This prohibits obtaining information from an agency about its property needs or any other information about its specific property needs, including but not limited to physical data and lease terms and conditions. This restriction does not apply to dissemination of information which is public knowledge, such as a printed brochure or published rates.

I understand that leases (including rates and annual rent amounts), unless specifically exempted, are subject to and conditioned upon the approval of Real Property Services and shall be of no force or effect unless the consent of such office is obtained.

Dated this ____ day of _____, 20____.

WITNESS

Signature of Owner or Agent

Typed or Printed Name

EMAIL LIST

You will receive all solicitations by email only

Name of Company: _____

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ Mobile: _____ Fax: _____

Email Address: _____

Please return completed form by mail, fax or email to: The South Carolina Department of Administration, Real Property Services, 1200 Senate Street, 6th Floor, Columbia, SC 29201,
E-mail: rps@admin.sc.gov



SOUTH CAROLINA CODE OF LAWS

SECTION 1-11-55. Leasing of real property for governmental bodies.

(1) "Governmental body" means a state government department, commission, council, board, bureau, committee, institution, college, university, technical school, agency, government corporation, or other establishment or official of the executive branch of this State.

Governmental body excludes the General Assembly, Legislative Council, the Legislative Services Agency, the judicial department and all local political subdivisions such as counties, municipalities, school districts, or public service or special purpose districts.

(2) The Division of General Services of the Department of Administration is hereby designated as the single central broker for the leasing of real property for governmental bodies. No governmental body shall enter into any lease agreement or renew any existing lease except in accordance with the provisions of this section. However, a technical college, with the approval by the State Board for Technical and Comprehensive Education, and a public institution of higher learning, may enter into any lease agreement or renew any lease agreement up to one hundred thousand dollars annually for each property or facility.

(3) When any governmental body needs to acquire real property for its operations or any part thereof and state-owned property is not available, it shall notify the Division of General Services of its requirement on rental request forms prepared by the division. Such forms shall indicate the amount and location of space desired, the purpose for which it shall be used, the proposed date of occupancy and such other information as General Services may require. Upon receipt of any such request, General Services shall conduct an investigation of available rental space which would adequately meet the governmental body's requirements, including specific locations which may be suggested and preferred by the governmental body concerned. When suitable space has been located which the governmental body and the division agree meets necessary requirements and standards for state leasing as prescribed in procedures of the department as provided for in subsection (5) of this section, General Services shall give its written approval to the governmental body to enter into a lease agreement. All proposed lease renewals shall be submitted to General Services by the time specified by General Services

(4) The department shall adopt procedures to be used for governmental bodies to apply for rental space, for acquiring leased space, and for leasing state-owned space to nonstate lessees.



(5) Any participant in a property transaction proposed to be entered who maintains that a procedure provided for in this section has not been properly followed, may request review of the transaction by the Director of the Division of General Services of the Department of Administration or his designee.

SOUTH CAROLINA CODE OF LAWS

SECTION 1-11-56. Program to manage leasing; procedures.

(A) The Division of General Services of the Department of Administration, in an effort to ensure that funds authorized and appropriated for rent are used in the most efficient manner, is directed to develop a program to manage the leasing of all public and private space of a governmental body. The department must submit regulations for the implementation of this section to the General Assembly as provided in the Administrative Procedures Act, Chapter 23, Title 1. The department's regulations, upon General Assembly approval, shall include procedures for:

- (1) assessing and evaluating agency needs, including the authority to require agency justification for any request to lease public or private space;
- (2) establishing standards for the quality and quantity of space to be leased by a requesting agency;
- (3) devising and requiring the use of a standard lease form (approved by the Attorney General) with provisions which assert and protect the state's prerogatives including, but not limited to, a right of cancellation in the event of:
 - (a) a nonappropriation for the renting agency;
 - (b) a dissolution of the agency; and
 - (c) the availability of public space in substitution for private space being leased by the agency;
- (4) rejecting an agency's request for additional space or space at a specific location, or both;
- (5) directing agencies to be located in public space, when available, before private space can be leased;



(6) requiring the agency to submit a multiyear financial plan for review by the department with copies sent to Ways and Means Committee and Senate Finance Committee, before any new lease for space is entered into; and

(7) requiring prior review by the Joint Bond Review Committee and the requirement of State Fiscal Accountability Authority approval before the adoption of any new or renewal lease that commits more than two hundred thousand dollars annually in rental or lease payments or more than one million dollars in such payments in a five-year period.

(B) Leases or rental agreements involving amounts below the thresholds provided in subsection (A)(7) may be executed by the Department of Administration without this prior review by the Joint Bond Review Committee and approval by the State Fiscal Accountability Authority.

(C) The threshold requirements requiring review by the Joint Bond Review Committee and approval by the State Fiscal Accountability Authority as contained in subsection (A)(7) also apply to leases or rental agreements with nonstate entities whether or not the state or its agencies or departments is the lessee or lessor.

SOUTH CAROLINA CODE OF LAWS

SECTION 1–11–65. Approval and recordation of real property transactions involving governmental bodies.

(A) All transactions involving real property, made for or by any governmental bodies, excluding political subdivisions of the State, must be approved by and recorded with the Department of Administration for transactions of one million dollars or less. For transactions of more than one million dollars, approval of the State Fiscal Accountability Authority is required in lieu of the department, although the recording will be with the department. Upon approval of the transaction, there must be recorded simultaneously with the deed, a certificate of acceptance, which acknowledges the department's and authority's approval of the transaction as required. The county recording authority cannot accept for recording any deed not accompanied by a certificate of acceptance. The department and authority may exempt a governmental body from the provisions of this subsection.

(B) All state agencies, departments, and institutions authorized by law to accept gifts of tangible personal property shall have executed by its governing body an acknowledgment of acceptance prior to transfer of the tangible personal property to the agency, department, or institution.



HISTORY: 1985 Act No. 201, Part II, Section 5; 1989 Act No. 26, Section 1; 1997 Act No. 153,

Section 2; 2014 Act No. 121 (S.22), Pt V, Section 7.C, eff July 1, 2015.

Editor's Note

Except for designation of the paragraphs, this section and former Section 1-11-57 were identical. For consistency, Section 1-11-57 is treated as an amendment to this section.

Effect of Amendment

2014 Act No. 121, Section 7.C, rewrote subsection (A).

SOUTH CAROLINA CODE OF REGULATIONS

19-447.1000. Leasing of Real Property.

A. LEASE OF NON STATE-OWNED REAL PROPERTY

No governmental body shall contract for the lease, rental, or use of non state-owned real property without approval of the Office of General Services, except as specified in subsection C. Requests shall be directed to the Office of General Services. The Office of General Services shall negotiate or approve the terms of all leases of non state-owned real property unless the governmental body has been exempted.

1. GENERAL REGULATIONS

(a) The Office of General Services shall be accountable for the procurement of leased real property for governmental bodies in accordance with the regulations promulgated by the Board.

(b) All leases shall require the written approval of the Office of General Services, except when such lease is exempt from approval by the Budget and Control Board.

(c) Before approving any lease, Office of General Services shall:

- (1) assure that all appropriate approvals have been obtained.
- (2) verify that adequate funds exist for the lease payments;
- (3) verify that lease payments represent no more than fair market rental;
- (4) verify that upfitting costs represent no more than current market costs;

(5) verify that a multi-year financial plan has been submitted by the requesting agency for review by the Budget and Control Board's budget office.



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(d) All requests for leased real property by governmental bodies and agencies shall be submitted to the Office of General Services on a "Request for Space Form" provided by General Services.

(1) This form shall include, but not be limited to:

- (a) The purpose for which the space will be used.
- (b) Any special requirements or needs with written justification (computer rooms, etc.).
- (c) Parking requirements and justification.
- (d) The general location or area desired.
- (e) A multi-year financial plan for review by the Board's budget office.

(2) The amount of office space desired shall be computed and justified using the standards specified in Code Section 1-11-55.

(3) Other types of space (warehouse, laboratory, etc.) shall require a written letter of justification from the requesting agency or governmental body and shall include documentation of market standards for use of this type space. The Office of General Services shall be accountable for investigating the existing space or any other information given in the justification.

(4) The "Request for Space Form" or any other document requesting space or justifying the need for space shall be certified by the Director of the requesting agency or governmental body.

(e) An agency or governmental body desiring to renew an existing lease is responsible for notifying the Office of General Services in writing of its intention to do so at least 60 days before the renewal deadline as stated in the lease. Upon approval by appropriate boards and the Office of General Services, the governmental body or agency shall notify the Lessor that it has elected to exercise its right of renewal pursuant to the lease. The Office of General Services may send each a renewal request form and a reminder notice well in advance of these deadlines.

(f) Under no circumstances will the requesting governmental body or state agency contact or negotiate lease terms with any real estate agency, broker, builder, owner, or representative in reference to space needs without the prior written consent of the Office of General Services.

(g) The Office of General Services will begin investigation of available rental space within ten (10) working days after receiving the "Request for Space Form".

(h) When processing requests for space, the Office of General Services will first determine whether appropriate state-owned or state-leased space is available before exploring commercial space alternatives. If such space is available, the Office of General Services will direct the requesting agency or governmental body to occupy said space. If state-owned or state-leased space is unavailable or inappropriate, the Office of General Services shall begin a solicitation process to secure proposals for commercial space from as many qualified developers and/or brokers as is practicable.

(i) Rental rates will be determined by the Office of General Services for all leases by use of standard acceptable market rent analysis methods.



2. TYPES OF LEASE TRANSACTIONS

All state leases will be categorized as one of the following five types:

(a) Exempt Leases. Those leases exempted in accordance with subsection C or otherwise exempted by the Budget and Control Board.

(b) Standard Lease. All leases which commit less than \$1 million in a five year period and which do not involve equity accrual.

(c) Major Leases. Any lease which commits \$1 million or more in a five year period but which is otherwise standard in all respects.

(d) Lease/Purchases. All lease transactions which include clauses providing for equity accrual.

(e) Other Leases. All leases which are not encompassed by the first four categories. At its discretion, the Office of General Services may place any proposed lease transaction in this category if it involves complex issues or methodologies which warrant special handling.

3. EXEMPT LEASES

All exempt leases will be administered in accordance with regulations and procedures outlined in subsection C or Budget and Control Board directives.

4. STANDARD LEASES

(a) The Office of General Services will be responsible for managing all aspects of soliciting lease proposals from commercial entities. In all solicitations, the Office of General Services is required to assure that equitable competition occurs in the broadest market practicable.

(b) The Office of General Services will review all proposals from prospective Lessors with the agency or governmental body. The Office of General Services will recommend the proposal which offers the most cost effective terms and conditions to the agency or governmental body after satisfying subjective criteria such as parking, location requirements, special needs, etc. If the agency accepts the recommendation, General Services will make the selection and begin negotiations to finalize the lease transaction.

(c) If the agency or governmental body cannot accept the Office of General Services' recommendation, the dispute shall be referred to the Budget and Control Board, which will make the final determination.

(d) Evaluation criteria shall include total cost (including rental payments, upfitting costs, escalations, additional rents, operating, and all other costs) and location. Other subjective criteria such as parking and other special needs may be included. Total cost shall be given the highest weight of any single factor.

(e) Before making a recommendation, the Office of General Services shall verify that:

- (1) all prior approvals have been obtained;
- (2) adequate funds exist for the lease payments;
- (3) lease payments are no more than fair market rental; and
- (4) upfitting costs are no more than reasonable market costs.



(f) The Office of General Services may reject the agency's request for additional space and/or space at a specific location.

5. MAJOR LEASES

(a) All regulations and procedures for standard leases will apply to all major leases.

(b) All major leases must be reviewed by the Joint Bond Review Committee and approved by the Budget and Control Board before a final lease becomes effective.

6. LEASE/PURCHASES

All regulations and procedures for major leases will apply to lease/purchase transactions.

7. OTHER LEASES

(a) At its discretion, the Office of General Services may place any proposed lease transaction in this category if it involves complex issues or methodologies which warrant special handling.

(b) The Office of General Services shall determine which of the above regulations are applicable to any special lease situation and may adopt additional procedures to meet special needs on a case by case basis.

8. STANDARD LEASE DOCUMENTS

(a) The Office of General Services will be responsible for drafting and updating the state standard lease document.

(b) The state standard lease document will be used in all lease negotiations unless a substitute document is approved in advance by the Office of General Services.

(c) The state lease document will incorporate cancellation provisions including a right to cancel in the event of a (a) non-appropriation of funds for the renting agency, (b) dissolution of the agency and (c) the availability of public space in substitution for private space being leased by the agency.

B. LEASE OF STATE-OWNED REAL PROPERTY

No governmental body shall contract with any commercial entity or other governmental body for the lease, rental, or use of state-owned real property whether it be titled in the name of the State of South Carolina or any governmental body, without approval of the Office of General Services, except as specified in subsection C. Requests shall be directed to the Office of General Services. The Office of General Services shall negotiate or approve the terms of all leases of state-owned real property unless the governmental body has been exempted.

C. EXEMPTIONS

The Budget and Control Board may exempt governmental bodies from leasing state-owned and non state-owned real property through the leasing procedure herein required provided, however, that annual reports be filed with the Office of General Services, prior to July 1 of each year. Annual reports shall contain copies of all existing leases of state-owned and non state-owned real property. The Budget and Control Board may limit or withdraw any exemptions provided for in this Regulation.





Henry McMaster, *Governor*
Marcia S. Adams, *Executive Director*

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HISTORY: Added by State Register Volume 23, Issue No. 5, eff May 28, 1999.

